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Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

Letter dated 22 August 2002 from the Permanent Representative of Nepal to the United Nations addressed to the Secretary-General

I have the honour to write to you in connection with the relocation to Kathmandu of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, an issue of high priority for His Majesty's Government of Nepal as it is for the United Nations.

As you may recall, by its resolution 42/39 D of 30 November 1987, the General Assembly approved the establishment of three regional centres for peace and disarmament for Africa, Latin America and Asia, in Togo, Peru and Nepal respectively. Subsequently, on 8 June 1988, the Agreement between the Government of Nepal and the United Nations regarding the establishment in Kathmandu of the United Nations Regional Centre for Peace and Disarmament in Asia (host country agreement) and the Memorandum of understanding between the Government of Nepal and the United Nations regarding services and facilities for the establishment in Kathmandu of the United Nations Regional Centre for Peace and Disarmament in Asia were signed. Under the Memorandum, the Government agreed to provide the cost of initial establishment to the Centre in two equal annual instalments. After meeting that obligation, too, we continued to pay the instalment for the next seven years in anticipation of the early transfer of the Centre to Kathmandu. While the centres in Togo and in Peru have long been operational from their respective regional headquarters, the Asian centre continues to work from New York.

In a renewed attempt to relocate the Centre to Kathmandu, Nepal agreed to consider a new draft host country agreement and exchange of letters as proposed by the United Nations on 19 March 2001. With this process moving forward, the two sides even jointly identified a house for the Centre's office in Kathmandu. On 31 July, I informed Under-Secretary-General Dhanapala of the Department for Disarmament Affairs that the Government had decided to meet the annual operational cost, including rent and the salaries of three local personnel to start with,

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and had asked me to insert a provision in the exchange of letters so Nepal's contribution accumulated over the nine years could be applied towards meeting the cost of equipment and other facilities of the Centre.

On 15 October, this Mission informed the Department for Disarmament Affairs that, as per its suggestion, the Government was ready to sign the 19 March draft host country agreement. The same day, by two separate notes, the Mission also clarified to the Department that, in its pledge, the Government had made provisions for salaries, as suggested, and included funds for utilities, security, communication and maintenance. On 16 October, I met with Mr. Dhanapala and we verbally agreed to sign the agreement in the next two days, pending the signing of the exchange of letters, in which the Department wanted some modifications.

However, to our surprise, a senior official at the Department for Disarmament Affairs informed us on 17 October that

> "the Legal Office had made some revisions to the agreement. In order that the agreement could be signed by the Ambassador and the Under-Secretary-General tomorrow, I would like to request that you review the revised text and indicate to us your acceptance."

Since some of the revisions involved substantive questions, I could not sign the host country agreement without fresh authorization from Kathmandu, which required the completion of the established due process all over again.

To find a way out for early relocation of the Centre, this Mission wrote to the Department for Disarmament Affairs on 18 October suggesting that we sign the 19 March draft host country agreement right away and prepare for relocation, while the revisions could be considered in due course. On the advice of the Department, I also met with Under-Secretary-General of Legal Office on 25 October and made that very suggestion. On the contrary, on 6 December, Mr. Dhanapala sent me a new draft host country agreement proposing several major new changes that went far beyond the changes proposed on 17 October.

In its unrelenting effort, this Mission wrote to the Department for Disarmament Affairs on 7 December requesting that the draft memorandum be sent along with the draft host country agreement so that the authorities in Kathmandu could consider them together. To give us a clear perspective, we also asked for the host country agreements done with Togo and Peru, which we received from the Department on 11 January 2002 and which we found to be much simpler than the one the Department had proposed for Nepal. We sent a reminder to the Department on 16 January to send the draft memorandum promptly to help expedite the decision.

In view of your commitment to relocate the Centre without delay, as you expressed during your trip to Nepal in 2001, I brought this matter to your personal attention and requested your help when I had the opportunity to meet with you on 11 February 2002. Subsequently, Prime Minister Deuba, too, urged you at a meeting on 9 March to help speed up the process of relocation.

Finally, on 16 May 2002, the Department for Disarmament Affairs sent the draft memorandum to us, which we immediately forwarded to Kathmandu. Both the draft host country agreement and the draft memorandum of understanding are under the active and serious consideration of the Government at the moment.

In this context, I strongly reiterate Nepal's unwavering interest in hosting the Centre. It is due to this abiding interest that we have consistently worked and cooperated with the United Nations, despite our wish and demand that all States Members of the United Nations in general and all hosts of the regional centres in this particular case be treated equally and fairly. We do, however, value highly the cooperation we have been receiving from the Department for Disarmament Affairs and the United Nations as a whole.

I would like to sincerely urge you to ensure the Centre's early and smooth relocation to Kathmandu and assure you that Nepal, as always, is committed to continuing to work closely with the United Nations in all areas of mutual interest.

I would appreciate it if you could kindly circulate the present letter as a document of the fifty-seventh session of the General Assembly under item 68 (h) of the provisional agenda.

(*Signed*) Murari Raj **Sharma**